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7           UNITED STATES DISTRICT COURT FOR THE  
8           WESTERN DISTRICT OF WASHINGTON  
9           AT TACOMA

10           UNITED STATES OF AMERICA,

11                         Plaintiff,

12                         v.

13           MICHAEL G. MCPHERSON,

14                         Defendant.

15                         NO. CR19-5213BHS

16                         ORDER CONTINUING TRIAL

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18           Based on General Orders No. 01-20 and No. 02-20, the Court determines that trial in  
19 this case cannot proceed on the currently scheduled date of May 26, 2020. For the reasons  
20 detailed in General Order No. 02-20, the ends of justice served by a continuance outweigh  
21 the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A),  
22 (B)(i), (iv).

23           IT IS THEREFORE ORDERED that the trial date and other dates shall be continued.

24           The trial date of May 26, 2020, and all other upcoming dates in this case, are hereby  
25 VACATED.

26           The parties shall file a Joint Status Report on or before June 1, 2020, with an agreed  
27 proposed schedule for a trial date and all pretrial deadlines. If the parties do not agree on a  
28 proposed schedule, each side shall set forth, in a single report, separate proposals for the trial

1 date and pretrial deadlines.

2 IT IS FURTHER ORDERED that the time between today's date and June 1, 2020, is  
3 excluded in computing the time within which trial must commence because the ends of  
4 justice served by this continuance outweigh the best interest of the public and the defendant  
5 in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). Failure to order this continuance would likely  
6 make trial impossible and result in a miscarriage of justice and would deny counsel for the  
7 defendant and government counsel the reasonable time necessary for effective preparation,  
8 taking into account the exercise of due diligence. *Id.* § (B)(i), (iv).

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10 Dated this 14th day of April, 2020.

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BENJAMIN H. SETTLE  
United States District Judge